

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TRIPLE AAA ASSOCIATION FOR
CHILDREN WITH DEVELOPMENTAL
DISABILITIES, suing on behalf of member
Bradford,

Plaintiff,

v.

2498 MARKET ST SAN DIEGO CA 92102-
2931; LINDA L GREENBERG, Trustee;
RONALD E AND LINDA L GREENBERG
TRUST; ADABERTOS MEXICAN FOOD;
JOB DAVILA; DOES 1 THROUGH 10,
Inclusive,

Defendants.

Civil No. 06-cv-2528-LAB-POR

**ORDER VACATING EVIDENTIARY
HEARING [Docket # 5]**

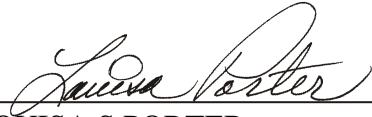
By Order dated March 13, 2007 the Court ordered that an evidentiary hearing would be held on April 12, 2007 at 2:00 p.m. to consider a motion by Defendants for a determination that modifications requested by Plaintiff are not “readily achievable.” The Court’s Order set out a briefing schedule for the motion and stated that Defendants should file their motion on or before March 29, 2007. To date, no motion for such a determination has been filed in this case. Therefore, the Court hereby VACATES the evidentiary hearing set for April 12, 2007 at 2:00 p.m.

If Defendants intend to pursue an evidentiary hearing on whether modifications are “readily achievable,” the parties shall file a joint motion requesting that the Court set a new briefing schedule and hearing date. The parties are cautioned that if a Joint Motion for Dismissal is signed by this Court, the Court may lose jurisdiction to make factual findings whether modifications not addressed

1 by the parties' settlement agreement are "readily achievable."

2 IT IS SO ORDERED.

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4 DATED: April 17, 2007

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6 LOUISA S PORTER
7 United States Magistrate Judge

8 cc: The Honorable Larry Alan Burns

9 All parties
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